

Quick Guide to Compensatory Education



If you answer “yes” to any of the following questions, you may want to ask for compensatory education!

- Is your child not receiving one or more services in their IEP?
- Are your child’s teacher and/or staff missing the appropriate credentials?
- Have you noticed delays starting any IEP services for your child?
- Is your child not receiving the necessary support to achieve the goals outlined in the IEP?

Definition



1 Compensatory Education, also referred to as “Comp Ed”, is offered by a school district to provide extra services and supports because of their failure to create or implement an appropriate IEP. Compensatory Education services are IN ADDITION to what is already outlined in the IEP. The IEP is a legal document. If it is not being followed your child may be eligible for additional services and supports to help them progress to where they would have been if the IEP had been appropriately followed.

Eligibility



2 Your child may be eligible for Compensatory Education if their IEP was not appropriately implemented. This could include if they received a lesser amount (or even none) of the service minutes outlined in their IEP, if services were not provided by appropriately credentialed professionals, or if services did not start because of assessment delays. Anytime your child’s IEP is not implemented the way it should be you may be eligible for Compensatory Education.

Documenting Learning or Service Loss



3 Compensatory education is to address loss of learning or services because the school district failed to follow the IEP or 504. To request service logs, contact your child’s teacher. You can also document your own concerns or evidence about loss of learning or services. You may want to ask for an Independent Educational Evaluation (IEE). An IEE can show whether your child would have made more progress if he/she had been given the services and supports to which he was entitled.



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Requesting Compensatory Education

You can call an IEP meeting at any time for any reason, including to request Compensatory Education. You can also reach out to your child's special education Case Manager, Principal or Special Education Supervisor to discuss options. SFUSD Special Education department can be reached at (415) 759-2222, ask to be forwarded to the appropriate Special Education Supervisor. If you have additional questions or concerns the SFUSD Special Education Ombudsperson can be reached at martinj5@sfusd.edu or 415-447-7802. Compensatory education is often awarded through due process, mediation/alternative dispute resolution (ADR), or state compliance complaints. In California you have 2 years to request Compensatory Education for district violations.

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Award of Compensatory Education

The amount of Compensatory Education awarded may vary. It is often a negotiation. You have the right to say what you think your child deserves to make up for the learning loss due to the district's failure to follow the IEP. The compensatory education awarded may not be the same as the services that were missing or lost; it could be more or less. The goal is to provide whatever is needed to address the academic or service loss resulting from the IEP not being properly followed.

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Types of Services

Compensatory Education can include many types of services such as: academic services and supports (including tutoring); related services like speech, OT, PT, and counseling; behavioral services and supports; assistive technology, and many others. Services could be provided by the school district, by outside providers contracted with the school district, by independent outside providers, and/or in some circumstances parents could even receive monetary reimbursement for services.

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Student's rights and Procedural Safeguards

Students have the right to receive Compensatory Education services if there has been learning or service loss because the IEP has not been followed. If you need support in requesting Compensatory Education, negotiating Compensatory Education services, and/or resolving IEP disputes, there are a variety of options including contacting Support for Families, engaging in mediation or Alternative Dispute Resolution, filing Due Process, or even filing a state complaint or a lawsuit. You may also decide to hire a special education advocate or attorney to help you.

